A RESOLUTION OF THE TRIBAL COUNCIL
OF THE DELAWARE TRIBE OF INDIANS TO
ADOPT THE UNITED STATES TREASURY
AMERICAN RESCUE PLAN ACT STANDARD
ALLOWANCE OF REVENUE LOSS

RESOLUTION 2022-20
Author by Leslie Jordan

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and

WHEREAS, pursuant to the Constitution and By-Laws of the Delaware Tribe of Indians, the Tribe's governing body is the Delaware Tribal Council; and

WHEREAS, in response to the COVID-19 pandemic, the United States Congress enacted the American Rescue Plan Act ("ARPA"), Pub. L. 117-2 (Mar. 11, 2021), which established a Coronavirus State and Local Fiscal Recovery Fund ("SLFRF") to be administered by the U.S. Department of the Treasury ("Treasury"); and

WHEREAS, the Delaware Tribe of Indians received payments from the SLFRF, which may be used, "to cover costs incurred by the Tribal Government, by December 31, 2024 ... to respond to the public health emergency with respect to the Coronavirus Disease 2019 or its negative economic impacts,"; and

WHEREAS, COVID-19 creates within the Delaware Tribe an unparalleled health crisis that threatens not only the people of the Delaware Tribe but the continued existence of the unique culture and language; and

WHEREAS, The Treasury's Final Rule provides that SLFRF monies may be used to replace revenue loss due to COVID-19, helping to ensure that governments can continue to provide needed services and avoid cuts or layoffs. "Recipients may use payments from Fiscal Recovery Funds for the provision of government services to the extent of the reduction in revenue experienced due to the COVID-19 public health emergency,"; and

WHEREAS, the Final Rule further states that "The final rule offers a standard allowance for revenue loss of $10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount for government services"; and

WHEREAS, the Delaware Tribe of Indians has selected to adopt the standard allowance of $10 million for revenue loss for the entire period of performance of the ARPA SLFRF monies.
NOW, THEREFORE, BE IT RESOLVED, The Delaware Tribal Council of the Delaware Tribe of Indians does hereby authorize and approve the election of the standard allowance of $10 million of revenue loss over the entire period of performance of ARPA SLFRF monies to be used for government services.

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this [9] day of March 2022 with a vote of [7] yes, [0] no, and [0] abstaining.

Brad KillsCrow, Chief

Attested by: Nicky Kay Michael, Secretary